BURKE IS MAYOR OF BURLINGTON, COURT'S DECISION.

Sustained and Andrew Rogers Must Serve 102 Days in House of Correction at Rutland for Second Offense.

This and Other Decisions Handed Down by the Supreme Court Today --- Decision on Railroad Case to Come This Afternoon. Court Will Adjourn Tonight.

Montpelier, May 28.—When Supreme Court came in at eleven o'clock this morning several important decisions were rendered preparatory to adjournment, the most important of which was sustaining the cause of James Burke of Burlington who brought quo warranto proceedings against Donly C. Hawley of the same city to show why he was acting as mayor of that city. The other was the sustaining of Judge C. E. Woodward of the Montpe lier city court in sentencing Andrew Rog-ers from his court to the house of correction to serve a sentence for a second offence of intoxication.

cause of the complaint is sustained, the writ is awarded and that the complainant is entitled to the office; that the defendant do not in any way intermeddle with the things concerning or about the same; that he be absolutely forbidden and secluded from exercising any of the functions of the office and that he pay the costs of the pro-

The court found that 108 votes which had a cross at the head of the Democratic and Local Option columns under the name and Local Option columns under the name | Bernin, stay 28.—Word has reached | dress suit cases were taken, the whole | bernin stay 28.—Word has reached | dress suit cases were taken, the whole | bernin stay 28.—Word has reached | dress suit cases were taken, the whole | brobably amounted to about \$50. This is Mr. Burke.

court, the court sustained the sentence of | uge from the terrible cold. the Montpeller judge. The sentence was

but that Supt. Morgan had no right to re- amputated. fuse to receive Rogers. It is probable that a new mittimus will be made out and that Rogers will be taken at once to the house of correction to serve a sentence of

In the Washington county case of Chase vs. Watson, et.al., judgment was affirmed. In the Addison county case, quo warranto proceedings of Jenney against Sweeney as to which was elected road commissioner of the town of Leicester, the court decided that Sweeney was elected on the ninth

Orthodox Jews Disfranchised. Chicago, May 28 .- From 5,000 to 10,-000 Jewish voters, if they shall adhere strictly to their religious precepts, will be disfranchised at the judicial election here on Monday owing to the fact that Monday is the first day | Falls Portland Cement company, emof Pentecost, when no orthodox Jew quired to mark his ballot. As the law requires that every voter shall mark and practically no shipments are be way out of the dilemma.

Dying Murderer Confesses. Scattle, Wash., May 28. - His life nearing a close through disease, John missioner McMackin has appointed Josie, allas John Phillips, has been Richard Gilleland of New York city to identified as a convict who escaped the position of labor arbitrator formerfrom the Kingston (Ont.) penitentiary ly held by Bernard Stark and Thomas twenty-eight years ago after serving A. Keith of Brooklyn as assistant to nine years for the murder of a woman. the first deputy commissioner in place On a bed in a hospital Josie admitted of Lewis A. Havens. The salaries are his identity. The facts regarding the murder came to light through the suit

of Phillips' wife for divorce.

Murderer of the Churches Lynched. Denver, May 28 .- A special to the Post from Newcastle, Wyo., says that ley assault and wanted as witnesses W. C. Clifton, murderer of Mr. and against the eight trolley men in their Mrs. John Church, was lynched by trial next Tuesday are missing from n mob from Gillette. The mob batter ed down the jail door, holding up the that they have been spirited away. sheriff and deputy the while, and hung The boys are out under \$2,000 bonds. Clifton to a bridge west of town. Clifton's head was cut off by the fall of forty feet.

Fatal Freight Collision. Bryan, Ala. Engineer Action was kill-per and illustrated. ed. Engineer Chester and three firewere destroyed by fire.

ule of games and upon an arrangement for the conduct of the teams. The season is to open June 27 with games between Bur-lington and Rutland at Rutland and be-tween Plattsburg and St. Albans at St. Albans, and will close September 5. Each team will have 18 home games. The articles of agreement provide that each club shall make a deposit of \$100 as a guaran-

shall make a deposit of \$100 as a guarantee of good faith.

If a team falls to appear on the field it shall forfeit \$100 to the team thereby losting. If a team leaves the field before the umpire shall have declared the game finished it shall forfeit \$100. Each association is to keep the entire gate receipts and the visiting team is to pay its own expenses. The Spaulding ball will be used at the games. The salary allowance is fixed at \$1,000 per month and when a player is signed with a team he shall belong to that club until released.

Shall forfeit \$100 as a guarantee of the fall of a faulty elevator at the works of the Porter Screen Manufacturing Co. at Winooski was entered in the county clerk's office yesterday and is returnable at the September term of county court.

The plaintiff avers that the elevator was old, rickety and improperly built and was equipped with only one rope, which was too small to properly raise the elevator. He claims that the rope broke while he was on the elevator in the employ of the company and that he fell 25 feet, breaking his nose and one shoulder and that as a result he will be crippled for life. The suit is brought by H. F. Wolcott of Col-

LEAGUE BASE BALL.

Cincinuari and Philadelphia Have Eleven-Inning Contest.

Yesterday's National league scores:

At Philadelphia—Philadelphia 2, Cincinnati 2, (11 innings)
At Boston—Boston 7, Pittsburg 1,
At Brooklyn—St. Louis 10, Brooklyn 1. At New York-New York 6, Chicago 4.

National League Standing. | Won, Lost, Pot. | Won, Lost, Pct. | New York 23 | 9 | .718 | Cincinnati 17 | 17 | .500 | Chicago 24 | 11 | .566 | Beston 15 | 16 | .484 | Pittsburg 21 | 16 | .586 | St. Louis 10 | 25 | .258 | Brooklyn 17 | 17 | .500 | Phila | 9 | 24 | .274

At Williamstown, Williams S, Tufts 7. At Hanover, Brown 4, Dartmouth 0.

THERMOMETER 80 BELOW.

Exposure.

in the case of Andrew Rogers who was land. Twelve of the crew finally reached the second successful attempt that has refused admission to the house of correct the shore but found no inhabitants. They tion by Sopt. Morgan on the ground that were without shelder and the thermometer there was no provision in the license law was 80 degrees below zero. Four died of to that effect, having been sentenced by exposure. The remaining eight held bur-Judge Woodward of the Montpeller city | ial service and then went in search of ref-

They reached Reydjavik a fortnight lato serve for a second offence of intoxica- ter in a deplorable condition. They had been without sufficient food for a number Supreme Court decided that the mitti- of days and four of them were so badly mus was faulty in describing the crime. frozen that their arms and legs had to be

SUCCESSOR FOR MILLER.

Edwin W. Lawrence of Rutland Appointed Assistant Attorney.

Washington, May 27 .- Edwin W. Lawrence of Rutland, Vt., was today appointed assistant attorney in the office of the assistant attorney general for the post office department to succeed Daniel V. Miller, recently removed. Mr. Lawrence is a member of the Vermont bar, now in the employ of Senator Proctor as assistant sec-

Building Tie Up Shuts Factory,

Glens Falls, N. Y., May 28.-Owing to the tie up of building operations in New York it is probable that the Giens ploying 450 persons, will be compelled will do even the amount of work re- to shut down within a month. The concern's daily output is 1,100 barrels, his own bailot, there is said to be no ing made. The local lime and lumber industries are also affected.

A New Labor Arbitrator.

Albany, N. Y., May 28.-Labor Comrespectively \$2,500 and \$2,400.

Waterbury Witnesses Gone. Waterbury, Conn., May 28 .- It is reported that the nine boys charged with compilelty in the Waterville troithe city, and the charge has been made

Sales will be held at the city auction rooms every afternoon and evening of this week. Special opportunities in line of refrigerators, ranges, chamber suits, chairs, Birmingham, Ala. May 28.—Two freights on the Southern railway, one of them a double header, collided near bound in cloth, extra fine rough edge pa-

men, names unknown, are missing.

Engineer Johnson and Brakeman J. D.

Hill were fatally hurt. Both trains umbrellas, only 30c; ladies' and gents' umbrellas, 89c each.

FORMER DIRECTORS WERE RE-ELECTED

Annual Meeting of the Barre Railroad Held Today - A. D. Morse,

Burlington, May 28.—The executive committee of the Northern Base Ball League met at the Van Ness House yes terday afternoon and agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon an agreed upon a schedule of games and upon a game and upon a gam

Burlington, May 28 .- A suit to recover \$10,000 damages alleged to have been re-ceived by Narcisse Gagnin because of the

CASE NOLLE PROSSED.

Trial of a Swanton Licensee Stricken From Docket.

Swanton, May 28,—The case of state vs. J. C. McNaily, for selling liquor with a license signed by only two of the commissioners, while it is claimed all three should have signed it, because a majority of property holders within four hundred feet on the same street (York street) are mandamus case of Mayor Corry vs. the
Barre & Montpelier Power and Traction
Co.
In the Burlington mayoralty case in
which proceedings were brought by James
Burke demanding that D. C. Hawley show
why he is acting as mayor of that city, the
cause of the complaint is sustained the
writ is a second on the same street (York street) are
said to have protested against granting
the license for that place, came up again
which proceedings were brought by James
Burke demanding that D. C. Hawley show
why he is acting as mayor of that city, the
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writ is a second on the same street (York street) are
said to have protested against granting
the license for that place, came up again
with the same street (York street) are
said to have protested against granting
the license for that place, came up again
office before Justice of the Peace H. P.
Chicago 18 12 360 Boston 15 15 360
Detroit 17 13 367 St. Lonis 15 14 451
Cleveland - Chicago 1, Cleveland 0.

Won. Lost, Pet. | Won. Lost, Pet. |
Dee of St. Albans, State's Attorney Locklin entered a "nolle pros" as he was not able to try the case.

Cellege Scores.

Store of S. A. Stevens Robbed of \$50 Merchandise.

Essex Junction, May 27.—The clothing the Reliance at 12:16.30 and the Constitution at 12:16.45.

Tuesday night. Entrance was made by boring off the lock which fastened the And Four of Shipwreck Crew Died From back door and breaking of the bottom bolts with an iron bar. A quantity of underbeen made to enter this store. have been several unsuccessful ones.

THREE PAID THEIR FINES.

Out of the Four Men Brought Up in Rutland City Court.

Rutland, May 27 .- Four drunks were prosecuted in the city court today by Judge Willis M. Ross. Of the lot three paid their

The offenders were Bernard Battles. George Oney, Edward Fallon and Patrick All three pleaded guilty to the charge of intoxication and the court fined

each man \$5 and costs. Battles was the only man that did not pay. He went to jail for 10 days.

Marcum Case Hearing Postponed. Louisville, Ky., May 28-A special that the hearing of the cases of Curtis Jett and Tom White, under indictment on the charge of murdering Lawyer J. B. Marcum, have been postponed. Their cases may go over to the next unt. term of court, which begins next week.

Won't Let Haidan Cabinet Resign. Port au Prince, Haiti, May 28.-President Nord has refused to accept the resignation of the Haitian cabinet which was tendered Monday. The min Isters retain their portfolios, with the understanding that the cabinet will continue the investigation into the al leged extensive frauds in the issuing of Haltian government securities amounting to \$2,000,000.

Fresh Forest Fires.

Utica, N. Y., May 28.-Only a drenching rain will extinguish the forest fires them. Another large supply of pro the same price as the present ten hours, visions has been sent up the Mohawk and Malone railroad.

Six Seniers Lost.

Victoria, B. C., May 28.-The sealing just returned from a cruise, reports having lost two bonts containing six men off the Copper Islands April 27.

Barelay President of Liberia. London, May 28.-Advices received here from Liberia autounce that Arthur Barelay was recently elected president of that republic.

To Take Wales to India. London, May 28.—The armored cruiser King Alfred has been selected to at Fitts. take the Prince and Princess of Wales to India in the autumn.

SHAMROCKS' BON VOYAGE

GRAND OVATION.

Porter Screen Manufacturing Co. of Win-poski Made Defendant.

A Crew of 175 Men Is Coming Over

A Crew of 175 Men Is Coming Over to Sail the Two Boats On This Side.

suit is brought by H. F. Wolcott of Col-chester and W. L. Burnap of this city of stores for the men and the baronet's will appear for the defendant.

An enthusiastic crowd, just before the yacht salled, sent aboard a flower bedecked towline for the challenger to use in towing the Reliance during the races.

THREE BIG YACHTS RACE AGAIN TODAY

Columbia Crossed the Line First, With Reliance Second in Good Wind.

Glen Cove, L. I., May 28.—A smart swelve knot breeze from the southwest early this morning gave promise of good conditions for today's yacht race, but during the forenoon the wind fell to eight knots, increasing to ten knots just before the start was made. The course is twenty five miles with a run almost off wind eleven miles, a reach across the Sound three miles and a beat home of eleven. The Columbia crossed the line at 12:15.03. ing the forenoon the wind fell to eight

2,000 WERE KILLED.

Constantinople, May 28 .- The town of There also Milazguierd, in Armenia, has been destroyed by an earthquake and 2,000 persons were killed, including 700 Armenians and 400 soldiers in garrison. A number of houses in the neighborhood of the villages also collapsed. Hundreds of cattle were killed. The shock was felt in Constantinople but no damage was done.

OLD HOME WEEK IN STOWE.

Preparations Being Made For a Big Celebration.

Stowe, May 27 .- The Old Home Week idea in Stowe is not waning as it is in some sections of the state. The event has been successfully observed here each year since it was established and this year promises to eclipse all previous efforts in that line as that week has been set for the presentation and dedication of Akeley memorial building to the town. The buildto the Post from Jackson, Ky., says ing is now in the hands of the nulshers and it is confidently expected will be ready for dedication during Old Home Week. Mr. Thomas has obtained a promise from Secretary Shaw to be present and deliver an address. Mr. Akeley will also be pres-

In addition to this it is probable that a The delay is the result of the non arrival of witnesses. The town is will be arranged. One day will be devoted to the dedication of the memorial building, another to the Grange, a third to the reunion of old residents at the Palisades and another to sports, etc. There will be a concert by the Stowe Military band, George A. Burnham, director, each evening, and during the week a minstrel show will be given under the auspices of the band.

WANT 9 HOUR DAY.

Painters of St. Johnsbury Make Known Their Wants.

evening and organized under the name of the St. Johnsbury Painters and Paper will officiate. in the Adirondacks. They have broken out afresh in the vicinity of Nebasene. was roted that on and after June 1 nine was roted that on and after June 1 nine The men are still vigorously fighting hours should constitute a day's work at

Accused Millionnire Kills Himself. Tiffin, O., May 28.-Colonel Albert Brewer, the millionaire, who was under indictment for manslaughter, being schooner City of San Diego, which has charged with killing Luther A. Her at Elmwood cemetery, where the Masonic shey in a saloon row, has died here of burial service was said. The bearers were heart disease. His trial, which was Wm. Day, Alex Bruce, put off from time to time, was set for Jime 15. This is the anniversary of the death of Hershey, and rumors have been current that Colonel Brewer committed suicide, but they are denied by the attendant physician, Colonel Brewer was a prominent manufacturer.

Extra values in waists at 08c and \$1.50

Silk Gingham for 29c at Fitts.

ORANGE COMPANY REFUSED A PERMIT

To Erect Telephone Poles and String Wires on the Streets of Montpelier.

The annual meeting of the stockholders of the Barre railroad was held at the company's offices in this city this foremon. The old board of directors were recelected as follows: W. A. Stowell, F. W. Stanyan, A. D. Morse, E. L. Smith, John Trow, At a approximate the streets of this city was refused. It was cited that the councils of Barre and Trow, At a approximant meeting of the stockholders of the city council last evening the petition of the Orange Co. Telephone company for a permit to erect poles and string wires in the streets of this city was refused. It was cited that the councils of Barre and Trow, At a approximant meeting of the stockholders of the city council last evening the petition of the orange Co. Telephone company for a permit to erect poles and string wires in the streets of this city was refused. It was cited that the councils of Barre and permits

After that the question of putting wires underground was considered, and it was the opinion of the council that the wires of the city should be placed under ground. City Attorney Carleton reported against

INJURED ARE DOING WELL

Roland Allen More Severely Burned at Graniteville Than Expected.

Graniteville, May 28.-Roland Allen who was quite severely burned in the fire which destroyed the Langdon house Monday morning, is getting along well although his wounds were more serious than at first last evening after two days of well attended reported. His whole left shoulder and successful meetings. The principal arm to the elbow was burned, besides

dressed the wounds.

Miss Nicholson who had both ankles sprained is still confined to the bed.

Pro-Memorial Exercises,

grade, Spaniding school will hold "Pre-more to be collected, memorial" exercises in the High school Mrs. Watkins in h Berlin, May 28.—Word has reached wear collars, ties and gloves and five dress suit cases were taken, the whole are of the wrecking of the German wighter collars, ties and gloves and five dress suit cases were taken, the whole are following programme will be presented: J. A. Sherburn. Mrs. Read very feeling-transport of the probably amounted to about \$50. This is recitation, "Freedom's Flag," Carrie Line- gift. kin, recitation, "Love of Country," Arthur Beattle; song, "The Forest," 7th grade; address, John W. Gordon; recitation, selected, Alice Smith; song,"Dixie Doodle, 7th grade; reading, "The American Flag, J. Edward Scott; quotations, selected, 7th temperance cause have kept up until this grade; song, "Our Army and Navy," 7th day, and the number of followers has ingrade; remarks; reading, "Lincoln's Address at Gettysburg," Warner Wheeler; white ribboned women fighting for the Flag Drill and Salute, 7th grade; recitations from the first product of the flag Drill and Salute, 7th grade; recitations from the fighting for the flag Drill and Salute, 7th grade; recitations for the flag Drill and Salute, 7th grade; recitations from the flag Drill and Salute. tion, "Hero of the Commune," Grace Dillon: closing hymn, "God of Our Fathers," 7th grade; Color bearer in flag drill, Joseph Nelson; color guards, Barah Summers and Lida Gilbertson; ushers, Emma Ran-

ney, J. Edward Scott.

Those interested in the work of this grade are cordially invited to be present ut these exercises.

MUNICIPAL LIGHTING PLANT.

Project Considered at Burlington Last Evening.

Burlington, May 28 .- A meeting to discuss the project of establishing a municipal lighting plant was held last night at the City Hall, which was largely attended by the voters of the city. The gathering was called to order by Elias Lyman, who announced that the citizens had been called together by the officers of the old board of trade for the purpose of impartially discussing the question of establishing a municipal electric lighting plant.

BEARERS FOR FUNERAL.

Gustave Jacobsen's Body Will be Bourne by Rallrond Engineers.

Montpeller, May 28 .- At the funeral of the late Gustave Jacobsen, which will be held from the house on Barre street, tomorrow afternoon the following men, all engineers, will act as pail bearers: Henry St. Johnsbury, May 27.—The local Penniman, Larry Livingston, John Row-painters and paper hangers met Tuesday ell, B. Cummings, John McHugo and Many Entries Received By Gentlemen's Charles Palge. The Rev. L. K. Willman

> Funeral of Albert Gouldsbury. The funeral of Albert Gouldsbury was

held from his late home on Beckley street 2.18, the 2.25 and the 2.35, all well filled yesterday afternoon at 3 o'clock, Rev. and some good sport is looked for. The Eme K. M. Jones officiating. The funeral starter will be Chester Pike. Admission was attended by members from both Gran-ite lodge, F. and A. M., and St. Aldemar 25 cents, commandery, K. T. The interment was

Funeral of Mrs. Willey.

The funeral of Mrs. Jessie Willey was held from her home on Maple avenue at 1.30 yesterday afternoon, Rev. Effic K. M. Jones officiating. There was a very large attendance of relatives and friends and a great profusion of floral tributes. The hus- bor Union of Barre and vicinity will be and and brothers-in-law acted as bearers.

The interment was in Hope cemetery.

The bearers were J. G. Willey, Simon Willey, H. J. Potter, Lewis Roberts and

LICENSE LAW TO BE BURIED

ARE CLOSED.

Address by National Lecturer, Mrs. Richards, Heard by Good Audience.

The Washington County Women's Christian Temperance Union convention closed speaker on last evening's programme was burns on his face and hands. Dr. Bailey dressed the wounds.

Miss Nicholson who had both ankles sprained is still confined to the bed.

Speaker on last evening's programme was Mrs. Florence Richards of Ohlo, national W. C. T. U. lecturer, who gave a very able and eloquent address on the open sales and eloquent address on the op

STONE SHEDS SHUT DOWN.

All those On Viles System Closed Until Monday.

Montpelier, May 27.—All the stone sheds in Montpelier and Barre that take their power from the Viles electric plant at Middlesex, shut down at noon today until next Monday, because of repairs to be made on the dam. Nearly if not quite all the Memorial day work is out of the way, and a breathing spell at this time is not unwelcome.

large andlence.

At 3.30 in the afternoon the dispensary system was thoroughly discussed and Mrs.

A. N. Lane conducted a question box with answers which proved very interesting. This was followed by a discussion of the subject, "Resolved, That good citizenship involves our Support of Vermont High Lidense Local Option Law." Both the affirmative and negative sides of the question.

The substance of the arguments of the negative side was that all the restrictions

would uphold this side of the question.

The substance of the arguments of the negative side was that all the restrictions of the license law should be enforced but

WITHOUT AN INCUBATOR.

Eggs Hatched Out on Lady's Pantry Sheif.

A woman of this city sent her son to Berlin the other day for some eggs for hatching. The boy returned in due time with the eggs. They were set on a shelf tion of a rest cottage on her lot at Spring

Grove, Vermont." Pre-Memorial Exercises. The sum subscribed on these cards The pupils of C. L. Harris of the 7th amounted to \$223.85 and there is some

Mrs. Watkins in her presentation read

Mrs. Richards said in part. "The Woman's Christian Temperance Union first started in a little Presbyterian church in Hillsboro, Ohio, in 1873, and the same vows made on that day to fight for the

I don't care how high a license a saloon may have it is a robber and a destroyer of the home. I am astonished that a state can think of it for a moment of regulating the traffic; they can't do it. Prominent men have said that the W. C. T. U. Is the greatest lawmaking body in the world and that is true.

When the glad day comes that women can vote as well as men, and it is surely coming, we won't stand a dispensary sys-tem on anything that looks like the regulation of the liquor traffic, and until that glad day comes we must work with more earnestness. I believe that Vermont will bury this licence law in a few years so that it will never rise again.

SURPRISE TO E. K. ELLIS.

About 30 of His Friends Gathered at His Home Last Evening.

A complete surprise was given E. K. Ellis of Forsyth Place last evening when about 30 of his friends assembled at his house. The occasion was Mr. Ellis' 38th birthday. The evening was enjoyably spent until midnight, entertainment being afforded by selections from the graphaphone, singing and mandolin solos by Mr. Stewart, accompanied by E. K. Ellis on the banjo and Philip Ellis on the guitar. Refreshments of ice cream and cake were

HORSE RACING SATURDAY.

Driving Club.

The first horse race of the season will be held at the Granite City Trotting Park under the auspices of the Gentlemen's Driving club Saturday afternoon at one o'clock. There will be three classes, the

Card of Thanks.

We wish to thank all friends and neighbors for their many kindnesses and words of sympathy during our sad bereavement, also for the beautiful flowers. J. G. Willey and mother, H. J. and I.

L. Potter, Mrs. Thos. Berry and Mrs. Lewis Roberts.

The regular meeting of the Central Laheld in Sharpenters' hall on Friday evening, May 29 at 7.30 o'clock. A full attendance is desired. B. F. Healey, president.

Central Labor Union.

Vudor porch shades at Fitts.